Montgomery Scarp MacDougall, PLLC

Attorneys
Seattle Tower, 27th Floor
1218 Third Avenue
Seattle, Washington 98101

William T. Montgomery† Bradley P. Scarp Allan L. MacDougall

†Also admitted in Alaska

Telephone (206) 625-1801 Facsimile (206) 625-1807 Debra L. Dickerson* Kelsey E. Endres Tobias J. Kammer

*Also admitted in California

May 8, 2009

VIA FED-EX

Dave Danner, Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

RE: Docket No. TR-090121 (BNSF Railway Company v. Snohomish County)

Dear Mr. Danner:

Enclosed please find the original and eleven copies of *Petitioner BNSF's Post -Hearing Brief* in the above referenced matter. The documents have also been submitted in electronic form to <records @wutc.wa.gov>, and copies sent via electronic mail and U.S. Mail to the interested parties.

Please do not hesitate to call should you have any questions or comments.

Very truly yours,

Montgomery Scarp MacDougall, PLLC

Visa Miller

Lisa Miller Paralegal

enclosure

cc. Adam E. Torem
Jonathan Thompson
Justin Kasting / Matthew Otten
Lynn Logen